

Common Council of the City of Hudson, Wisconsin  
Monday, October 21, 2019 7:00 p.m.  
Council Chambers of City Hall, 505 Third Street

The Common Council meeting was called to order by Mayor Rich O'Connor at 7:00 p.m. and led those present in the Pledge of Allegiance.

**COUNCIL MEMBERS PRESENT:** Mayor Rich O'Connor, Randy Morrisette II, Bill Alms, Paul Deziel, Jim Webber and Sarah Atkins Hoggatt

**COUNCIL MEMBERS ABSENT:** Joyce Hall

**STAFF MEMBERS IN ATTENDANCE:** Alison Egger, David Gray, Mike Johnson, Mike Mroz, Kip Peters, Aaron Reeves, Jennifer Rogers, Scott St. Martin, Bryan Watson, Tiffany Weiss, Geoff Willems and Catherine Munkittrick.

**OTHERS PRESENT:** Jay Clarain, Kyle Knepler, Nick Vivian, Michelle Webb, Marian Webber, Evy Nerbonne, Ruth Peterson, Amanda Hein, Mary Claire Olson Potter, Kevin Urbik, Rebecca Marsical and others.

**PRESENTATIONS**

Manufacturing Month Proclamation

City Administrator, Aaron Reeves, read aloud a proclamation designating October as Manufacturing Month.

Wastewater Treatment Plant Improvement Project Presentation by SEH

John Friel, a representative of Short Elliott Hendrickson Inc. (SEH), showed a presentation which provided information on the design, construction timeline, costs and estimated increase to users. The presentation also included information on the existing wastewater treatment facilities, the projected twenty-year wastewater flow, future wastewater needs and costs of alternatives to meet those needs.

Mr. Friel stated that the 2020 Wastewater Treatment Plan Improvements will include a new preliminary treatment system, a rehab sludge thickening system, a new UV disinfection system and other plant wide improvements.

It is estimated that construction will take approximately a year and a half. John Friel and Kip Peters then answered questions from the council. The upgrades will extend the lifespan of the plant by another twenty years or seven thousand people.

Hudson Bicycle and Pedestrian Web Map Presentation

Associate City Planner, Tiffany Weiss, gave an overview presentation of the web map application which will be available for use for residents, business owners, local organizations and neighboring town residents.

Mike Johnson added that this is the first of several maps that will be available to the citizens and visitors to showcase what can be done with GIS and some of the mapping technology we have.

## **PUBLIC HEARINGS**

### Public hearing on a zoning map amendment application from R-1, One-Family Residential to RT, Transitional Two-Family at 1031 Second Street – Jay Clairain

Mayor O'Connor opened the public hearing at 7:38 pm.

The following individuals spoke in opposition of the zoning map amendment.

Joel Kulow - 1100 Second Street

Matt Mackie - 1101 Second Street

Kevin Urbik, attorney for the applicant, replied to the comments made by Joel Kulow and Matt Mackie then read a letter submitted by Brian Helland, a resident at 1030 Second Street, which provided support for the proposed rezoning amendment.

Jay Clairain 1031 Second Street, property owner and applicant for the zoning amendment, also replied to the comments made by Joel Kulow and Matt Mackie. Mr. Clairain provided council with details pertaining to the updates made to his Airbnb website. He stated that he installed technology to monitor the activities on the porch. Lastly, he announced that he has six off-street parking spaces for his guests.

Motion by Alms, second by Deziel, to close the public hearing at 8:00 pm.

All in favor (5) Motion carried

### Discussion and possible action on a zoning map amendment application from R-1, One-Family Residential to RT, Transitional Two-Family at 1031 Second Street – Jay Clairain

Mayor O'Connor stated that this topic was discussed at the last Plan Commission meeting and there was no recommendation. It would be remanded back to the Plan Commission after the public hearing.

Motion by Atkins Hoggatt, second by Deziel to send this issue back to the Planning Commission.

A brief discussion followed regarding the air bed and breakfast (Airbnb) and vacation rental by owner (VRBO) issues that is seen city-wide. City attorney, Catherine Munkittrick clarified that the existing use does not meet the definition of the two-family in the code. It's not a residential designed exclusively for two-family to occupy; maybe the back end does, but not the front end does not so it doesn't meet the two-family definition, hence the application to rezone.

There was further discussion about how the property is being advertised and whether it's an acceptable use of the property.

Motion by Atkins Hoggatt to modify her motion to send this issue back to the Planning Commission with a recommendation that they deny the rezoning application. Motion was seconded by Deziel.



Atkins Hoggatt withdrew both her motions. All were in favor.

Motion by Atkins Hoggatt, second by Deziel, to deny the application for rezoning because it would be an inappropriate use of a residential neighborhood; the front is being rented as a business in a residential area.

All in favor. (5) Motion carried.

Public hearing on a zoning map amendment application from B-2, General Commercial to RM-2, Multiple Family Residential and a comprehensive plan amendment from General Commercial to Medium Density Residential at St. Croix County Tax Parcel 236-2070-03-031 – LandDevCo of Hudson, LLC

Mayor O'Connor opened the public hearing at 8:12 pm.

The following individuals spoke in opposition of the proposed zoning map amendment and comprehensive plan amendment.

Jeff Mizinski - 1417 Wheat Grass

Jeff and Kathy Tucci - 1885 Twilight

Motion by Alms, second by Webber, to close the public hearing at 8:21 pm.

All in favor (5) Motion carried

Discussion and possible action on Ordinance 14-19 rezoning St. Croix County Tax Parcel 236-2070-03-031 from B-2, General Commercial to RM-2, Multiple Family Residential and a comprehensive plan amendment from General Commercial to Medium Density Residential – LandDevCo of Hudson, LLC

Mike Johnson clarified that the original request was withdrawn by the applicant in the fall of 2018. Referring to the last paragraph of his staff report, he alluded to the implications a decision will have on potential zoning changes on current and future developments. He stated that the Planning Commission recommend approval at their last meeting and that the City does not have the authority or ability to dictate whether a multi-family project is owner-occupied or renter-occupied dwelling units.

LandDevCo is seeking to develop a three-story residential condominium building with approximately 88-units with a sky deck. The building will not exceed 50 feet in height. Plan Commission recommended approval at their last meeting.

Motion by Morrisette II, second by Deziel, to suspend the rules.

Roll Call Vote: All Ayes (5) Motion carried.

Motion by Morrisette II, second by Deziel, to approve Ordinance 14-19.

Nick Vivian provided a brief history of the development plans for this site. He stated that based upon feedback received, they've decided to propose 88 owner-occupied units rather than the

144-unit apartments initially proposed in the fall of 2018. Final development plans will be provided at a later date for approval.

Roll Call Vote: All Ayes (5) Motion carried.

### **Public Comments**

#### **CONSENT AGENDA:**

Motion by Morrisette II, second by Deziel, to approve the consent agenda items.

Roll Call Vote: All Ayes (5) Motion carried.

- A. Approve the meeting minutes from the October 7, 2019 Regular Council meeting.
- B. Approve the Claims in the amount of \$1,869,299.85.

COUNCIL CLAIMS - October 21, 2019				
	Fund	A/P Amounts	P/R Amounts	Totals
100	General	109,315.33	112,294.89	221,610.22
235	Room Tax & Comm Subs	1,000.00		1,000.00
280	Parking	5,839.50		5,839.50
290	Police Donations	147.82		147.82
310	Debt Services	832,730.00		832,730.00
416	Tid 1-6	8,062.94		8,062.94
451	2017 & 2018 Cap Projects	15,000.00		15,000.00
452	2019 & 2020 Cap Projects	768,106.98		768,106.98
620	Parking	2,247.16	1,598.14	3,845.30
630	Ambulance	8,887.61	755.71	9,643.32
640	Storm Sewer	1,485.99	1,827.78	3,313.77
				0.00
	<b>Totals</b>	<b>\$1,752,823.33</b>	<b>\$116,476.52</b>	<b>\$1,869,299.85</b>

- C. Approve the regular operator license applications as listed on the issue sheet.
- D. Place on file the September 17<sup>th</sup> and September 26<sup>th</sup> Public Utilities Committee meeting minutes.
- E. Approve setting a public hearing date of November 18, 2019 for a zoning map amendment application from B-2 General Business to RM-2, Multiple-Family Residential and a comprehensive plan amendment from General Commercial to High Density Residential – Gerrard Development, LLC
- F. Place on file the Building Inspector's Third Quarter Report
- G. Approve a fence easement agreement for 19 Founders Green – Jason and Jill Ellenbecker
- H. Approve the Hudson Chamber's Light Up the Night event scheduled for November 29, 2019.

**UNFINISHED BUSINESS-** None

#### **NEW BUSINESS**

Discussion and possible action on Resolution 19-19 for a state mandate waiver for a housing affordability report



Associate City Planner, Tiffany Weiss, stated that staff is recommending the adoption of the mandate waiver resolution requesting exemption from Section Wis. Stat. §§6.10013 which requires the creation of a Housing Affordability Report by January 1, 2020. Staff will begin working on the report after the completion of the comprehensive plan update and intends to produce the report before the four-year mandate waiver period expires.

Motion by Morrisette II, second by Alms to suspend the rules. Roll Call Vote: All in favor (5) Motion carried.

Motion by Morrisette II, second by Alms to adopt Resolution 19-19.  
Roll Call Vote: All in favor (5) Motion carried.

Discussion and possible action on Resolution 20-19 for a state mandate waiver for a new housing fee report

Tiffany Weiss stated that this is in relation to the impact fees, which hasn't been updated since 2003. Staff is recommending approval to submit a waiver to allow them time to get the impact fees updated.

Motion by Deziel, second by Alms to suspend the rules.  
Roll Call Vote: All in favor (5) Motion carried.

Motion by Alms, second by Deziel to adopt Resolution 20-19.  
Roll Call Vote: All in favor (5) Motion carried.

Discussion and possible action on the introduction of Resolution 21-19 and to set a public hearing date to partially discontinue a portion of public right of way for Kinnickinnic Street generally located along 205 Third Street – Rick & Cheryl Cherry

Tiffany Weiss stated that the property doesn't have any roadway or utilities underneath; it is completely vacant. The street vacation will allow the Cherry's to develop a new single-family home on their property. Mayor O'Connor added that this came before the Planning Commission and it was recommended for approval.

Motion by Deziel, second by Webber to introduce Resolution 21-19 and set the public hearing date. All in favor (5) Motion carried.

Discussion and possible action on a Public Participation Plan for the Comprehensive Plan Update

Brea Grace, a community planner with Short Elliot Hendrickson (SEH) thanked the council for allowing SEH to work with the City on the comprehensive plan update. She mentioned that state statutes require that a public participation plan be put into place and adopted by the Planning Commission. The Common Council will then need to identify what process will be used throughout the duration of the project to involve the public.

The public participation plan provided to the council outlines the various methods that will be used to engage the public. Collaboration with the Comprehensive Plan Steering Committee has

begun to put together a community survey; their first major community outreach effort. The comprehensive plan update should take approximately fifteen months to complete.

Motion by Deziel, second by Webber to adopt the Public Participation Plan.  
All in favor. (5) Motion carried.

Discussion and possible action on Placement of Structures on Public Property Policy  
City Administrator, Aaron Reeves, stated that there are a number of memorials which have been placed on public property which are in violation of city policy. A map and pictures of the memorials which were placed in violation of the policy was provided to council.

Secondly, the Hudson Hot Air Affair made a request to the Park Board to temporary place an art structure in Lakefront Park for a six-month period. The Park Board recommended approval, however, it was discovered that we don't have an Art in the Park policy. Aaron Reeves sought direction from council on how they want to proceed and recommended that they direct staff to create a new policy.

A lengthy discussion regarding the removal of memorials in violation of the City's memorial policy, refunding the donations collected, an art in the park policy and whether or not to allow Hudson Hot Air Affair to place their art structure at Lakefront Park.

City Attorney, Catherine Munkittrick, added that the policy allows the city to evaluate memorials after ten years.

Motion by Morrisette II, second by Alms to remove the placards that identify as memorials. After further discussion, Morrisette II withdrew his motion. All were in favor.

Motion by Morrisette II, second by Deziel to go into the phase of removing the plaques except of the one located at Prospect Park.

Aaron Reeves added that that memorial will be removed immediately, and the money will be refunded.  
All in favor (5) Motion carried.

Aaron Reeves stated that if council want to allow art in the park, staff should be directed to create a policy.

Motion by Deziel, second by Atkins Hoggatt, to direct staff to come up with a policy for Art in the Park. All in favor. (5) Motion carried.

A lengthy discussion among the council members followed regarding the art in the park policy and the art structure Hudson Hot Air Affair is seeking permission to place at Lakefront Park. Evy Nerbonne, President of the Hot Air Affair, and co-representative, Amanda Hein provided council with information regarding the art structure. Council discussed the art structure, an ideal location for its placement and the length of time it would be on display.



Motion by Akins Hoggatt, second by Deziel, to allow Hudson Hot Air Affair to install this current piece of art as an extension of their existing event permit for the period of mid-November through beginning of March.

There was further discussion about potential locations for placement of the structure. City Administrator, Aaron Reeves strongly recommend placing this structure on a hard surface.

All in favor (5) Motion carried.

Discussion and possible action on the creation of a Suicide Prevention Task Force  
Mayor O'Connor pulled this item from the agenda.

Discussion and possible action on the application for the Wisconsin Department of Transportation 2020-2021 Multimodal Local Supplement (MLS) Grant

Director of Public Works, Mike Mroz, stated that he is seeking approval from council to direct staff to move forward with applying for a MLS grant for the following projects: the 11<sup>th</sup> Street Bridge Expansion, Second Street Trail Expansion to I-94 and Carmichael Buildout from S. Brekken Drive to Coulee Trail, which would also include an off-street trail that would connect to the elementary school on the south side of town.

Motion by Webber, second by Deziel to approve. All in favor. (5) Motion carried.

Discussion and possible action on adopting Ordinance 15-19, amending Hudson Municipal Code Chapter 106- Building Construction and Fire Prevention

Building Inspector, David Gray, stated that the state of Wisconsin is looking towards more uniform enforcement and part of that process is that they will require all commercial electrical construction be inspected as of January 1, 2020. Staff is recommending approval of the ordinance and approval to direct staff to draft a letter stating that the City can conduct the inspections and will continue enforcement as of January 1, 2020.

Motion by Deziel, second by Alms, to suspend the rules.  
Roll Call Vote: All Ayes (5) Motion Carried.

Motion by Deziel, second by Alms, to adopt Ordinance 15-19.  
All in favor. (5) Motion Carried.

#### COMMUNICATIONS AND RECOMMENDATIONS OF THE MAYOR

Mayor O'Connor announced that the annual courtesy parking for the holiday season will be extended from two hours to three hours, due to the new parking system, as of 8:00 am on November 27<sup>th</sup> through 10:00 am on January 2, 2020.

City Administrator, Aaron Reeves, introduced the new city engineer Dean Chamberlain.

#### ADJOURNMENT


Motion by Alms, second by Deziel to adjourn.  
Roll Call Vote: All Ayes (5) Motion carried.

Meeting adjourned at 10:08 pm.

I hereby certify that the City Clerk has submitted the foregoing minutes to me and hereby by my signature approve said minutes and all acts of the Common Council as set forth therein.

Date approved by Council: November 4, 2019

APPROVED: \_\_\_\_\_

A handwritten signature in black ink, appearing to read "Rich O'Connor", written over a horizontal line.

Rich O'Connor, Mayor

ATTEST: \_\_\_\_\_

A handwritten signature in blue ink, appearing to read "Jennifer Rogers", written over a horizontal line.

Jennifer Rogers, City Clerk